

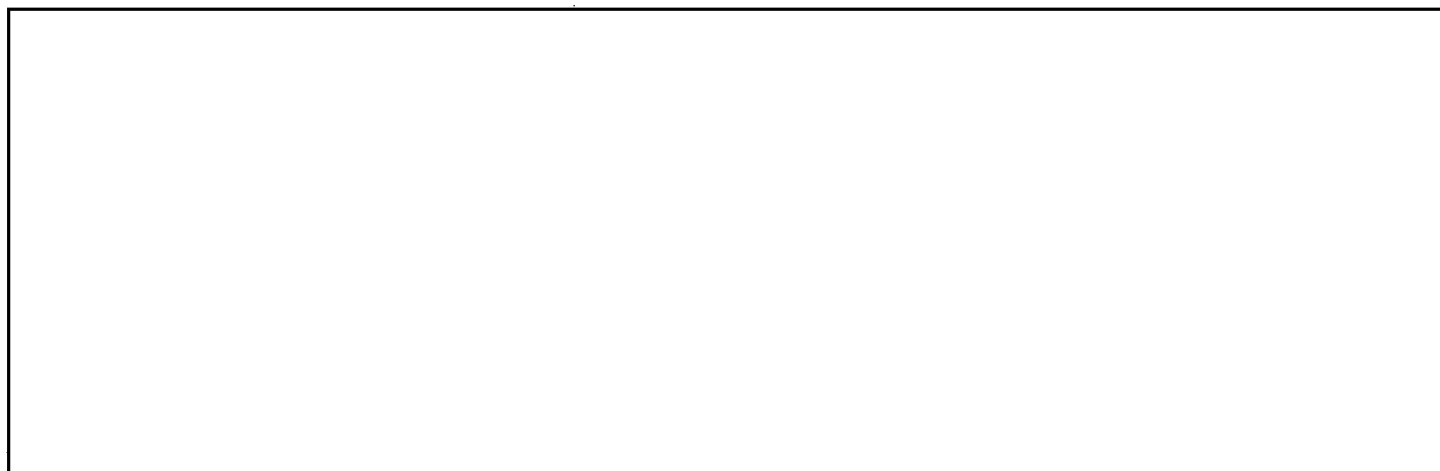
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JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

25X1

Friday - 1 August 1969



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2. [REDACTED] Attempted to see Senator John Stennis to discuss with him our problems with Senator Ervin regarding the publication of a sanitized version of the transcript of the Director's testimony before Senator Ervin's Subcommittee on Constitutional Rights regarding S. 782. Senator Stennis said he was completely preoccupied with some urgent matters and unless our problem was urgent, he would like me to take it up with Mr. Braswell, Chief of Staff, Senate Armed Services Committee.

I talked with Mr. Braswell explaining to him our reasons for opposing publication. He said he was sure Senator Stennis would agree with our position but doubted Stennis would intervene directly with Senator Ervin. He said he would take the matter up with Stennis at the first opportunity, probably late this evening when he expected to see him for a few minutes, but could only advise us to stand firm in opposing publication of any version of the briefing.

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Executive Registry
69-4036

1 August 1969

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT: Meeting with Senator James O. Eastland
(D., Miss.) on S. 782

1. Larry Houston and I feel that in talking to Senator Eastland regarding the Ervin bill (S. 782) you should make the following points:

a. Transcript of executive session hearing.

(1) We have several times explained to Senator Ervin the reasons for our unwillingness to appear in open session, and he finally and reluctantly agreed to hear us in executive session on 22 July. At that time, we explained our reasons for requesting an exemption from S. 782 for the intelligence community.

(2) In presenting our case in executive session we explained in some detail our security problems and procedures on the assumption that none of the record would be made public (we will be glad to give Senator Eastland a copy of our prepared statement).

(3) Our presentation apparently made no impact on Senator Ervin, but Senator Bayh was outspoken in supporting us and Senator Hruska appeared to recognize our problem. No other Subcommittee members were present.

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(4) At the end of the hearing Senator Ervin suggested publication of the transcript. We pointed out this would present serious problems. Senator Ervin asked that we review the record and delete portions affecting the national security so the remainder could be published. We said, in effect, that we would consider this. We have since carefully reviewed the transcript and have concluded that it cannot be sanitized for publication without deleting our strongest arguments for exemption. On the other hand, making these arguments public would expose our vulnerabilities to legal harassment and present a blueprint for the penetration efforts of hostile intelligence services.

(5) In addition, publication would tarnish the "professional intelligence" image and would create a reluctance among sensitive individual sources and foreign intelligence services to cooperate with us. Also it would create an unfortunate precedent and expose us to recurring pressures to appear in open session on the Hill and in public forums elsewhere.

(6) We therefore propose to tell Senator Ervin that, after careful consideration, we cannot, on national security grounds, agree to the publication of any part of the transcript.

(7) If Senator Ervin finds this response unacceptable we would appreciate Senator Eastland's support for our position, and any suggestions Senator Eastland may offer.

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b. Future action on S. 782.

(1) We are hopeful that when S. 782 comes before the full Committee an exemption for the intelligence community may be possible. If so we would like Senator Eastland's suggestions as to just what preparatory action we should take. We know that Senator McClellan is sympathetic to our position, and it has been suggested that he might introduce such an amendment.

(2) We would appreciate Senator Eastland's views on what other members of the Committee we might approach directly. We believe Senator Dirksen's support would be of particular value and if Senator Eastland sees no objection, plan to take the matter up with him personally. Possibly Senator Eastland might also speak with Senator Dirksen and perhaps with other Committee members in our behalf.

2. Attached for your information are:

a. A biographic profile of Senator Eastland.

b. A list of the members of the full Senate Judiciary Committee.

3. Also attached are the following, which you may want to leave with Senator Eastland:

a. A copy of the bill, S. 782.

b. Your prepared statement before Senator Ervin's Subcommittee.

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c. A somewhat more abbreviated memo on "CIA Personnel Security and Suitability."

d. A memo entitled "S. 782--Specific Problems Effecting the Central Intelligence Agency."

e. A chronology of our exchange of letters with Senator Ervin regarding appearances in executive session. 25X1



John M. Maury
Legislative Counsel

Attachments

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